

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NOEL G. CATAHAN,

Plaintiff,

-v-

ECO COMMUNITY CLEANERS, INC.,
JYA CLEANERS, INC., MERCER
CLEANER CORP., SUNG LEE, Y&I
FRENCH CLEANERS INC.,

Defendants.

20-cv-1749 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge.

On February 6, 2025, Magistrate Judge Katharine Parker issued an Amended Report and Recommendation (“Amended R&R”) recommending that this Court grant plaintiff’s motion to correct judgment (ECF No. 194) and his motion for attorney’s fees (ECF No. 197). (ECF No. 205.) Plaintiff had fourteen days in which to file any written objections to the Amended R&R. *See* Fed. R. Civ. P. 72(b)(2); (ECF No. 205 at 7). That time has passed, and Catahan has not filed an objection.

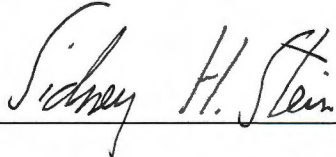
For their part, defendants had seventeen days in which to file objections from the date on which they were served with the Amended R&R. (ECF No. 205 at 7.) On March 19, 2025, Catahan served the Amended R&R on defendants by mail. (ECF No. 207.) The affirmation of service indicates that service upon the individual defendant, Sung Lee, was proper. (*Id.*); Fed. R. Civ. P. 5(b)(2)(C). Therefore, defendants’ objections were due on April 7, 2025. To date, no objection has been filed.

The Amended R&R has been reviewed by this Court and the Court hereby adopts its recommendations. Accordingly, plaintiff’s motion to correct judgment is granted and the judgment shall be amended to state, in accordance with the New York Minimum Wage Act, that: “If any amounts of the judgment remain unpaid upon the expiration of ninety days following issuance of this judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of this judgment shall automatically increase by fifteen percent.”

The Court also grants plaintiff's motion for attorney's fees and costs and awards \$32,835 in fees and \$417.19 in nontaxable expenses.

Dated: New York, New York
April 23, 2025

SO ORDERED:

A handwritten signature in black ink, reading "Sidney H. Stein", is written over a horizontal line.

Sidney H. Stein, U.S.D.J.